

Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota
55402-2215 USA
TEL 612.332.5300
FAX 612.332.9081
www.merchant-
gould.com

Fax Transmission | April 12, 2004

A Professional Corporation

TO: Commissioner for Patents
Attn: Examiner Robinson
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: Anna M. Nelson

OUR REF: 11669.121USU1
TELEPHONE: 612.336.4701

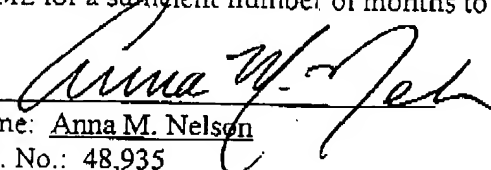
Total pages, including cover letter: 3

PTO FAX NUMBER 1-703.872.9306

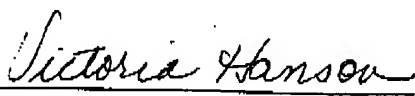
If you do NOT receive all of the pages, please telephone us at 612.371.5394, or fax us at 612.332.9081.

Title of Document Transmitted: Response to Restriction Requirement
Applicant: Gehant
Serial No.: 10/655,874
Filed: September 5, 2003
Group Art Unit: 1653
Our Ref. No.: 11669.121USU1
Confirmation No. 7188

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: 
Name: Anna M. Nelson
Reg. No.: 48,935

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.


Signature

April 12, 2004
Date

GEN033.DOT

S/N 10/655,874

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	GEHANT	Examiner:	ROBINSON, H.
Serial No.:	10/655,874	Group Art Unit:	1653
Filed:	SEPTEMBER 5, 2003	Docket:	11669.121USUI
Confirmation No.:	7188		
Title:	PROCESS FOR PROTEIN EXTRACTION		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703.872.9306 on April 12, 2004

By: Victoria Hanson
Name: Victoria Hanson

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed March 10, 2004, please amend the above-identified application as follows:

Remarks begin on page 2 of this paper

REMARKS

Claims 1-43 remain pending in the above referenced application.

The Examiner has required that the above referenced application be restricted under 35 U.S.C. § 121 to one of the following inventions:

Group I: Claims 1-18 drawn a process for extracting a target protein comprising purification, classified in class 530, subclass 412.

Group II: Claims 19-29 drawn to a method for decreasing biomass-biomass interactions, classified in class 435, subclass 7.1.

Group III: Claims 30-40 are drawn to a method for altering a flocculent in a solution of disrupted E. coli cells, classified in class 435, subclass 377.

Group IV: Claims 41-43 drawn to protein products, classified in class 530, 350.

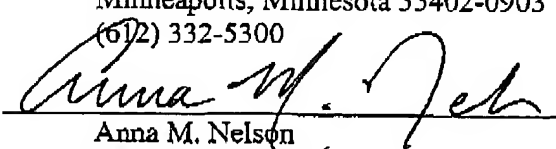
Applicant elects the claims of Group I, claims 1-18 with traverse. However, regardless of the restriction and subsequent election, Applicant notes that based on MPEP § 821.04, once a process claim is found allowable, a claim directed to a product made using that process (which contains all of the limitations or is dependent from the allowable process claim) will be rejoined. The claims directed to the product must then be fully examined for patentability. MPEP § 821.04. Specifically, Applicant notes that claim 41 is directed to a product made using the method of claim 1.

If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: April 12, 2004


Anna M. Nelson
Reg. No. 48,935
AMN/Vh